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WASHINGTON DC 20004

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JUN 23 2005

OFFICE OF PETITIONS

In re Application of :
Brendon Conlan et al :
Application No. 10/006,241 : DECISION GRANTING PETITION
Filed: December 7, 2001 : UNDER 37 CFR 1.137(b)
Attorney Docket No. 75978/16008 :
:

This is a decision on the renewed petition under 37 CFR 1.137(b), filed February 14, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an executed declaration; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Notice To File Missing Parts Of Nonprovisional Application of January 7, 2002, is accepted as having been unintentionally delayed.

Pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Accordingly, since the \$1080 extension of time submitted with the petition on February 14, 2005, was subsequent to the maximum period obtainable for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

This matter is being referred to the Office of Initial Patent Examination.

Karen Creasy

Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request:	6-21-05	2 Serial/Patent #	10/106241	
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
	Extension of Time		2-14-05	\$ 1080
	Notice of Appeal/Appeal			\$
	Petition			\$
	Issue			\$
	Cert of Correction/Terminal Disc.			\$
	Maintenance			\$
	Assignment			\$
	Other			\$
		7 TOTAL AMOUNT OF REFUND	\$ 1080	
10 REASON:		8 TO BE REFUNDED BY:		
	Overpayment	<input checked="" type="checkbox"/> Treasury Check <input type="checkbox"/> Credit Deposit A/C #: 9 50 -- 0310		
	Duplicate Payment			
	No Fee Due (Explanation):			
<p><i>Extension Fee not necessary.</i></p> <p>***** THIS SPACE RESERVED FOR FINANCE USE ONLY *****</p>				
11 REFUND REQUESTED BY:		TYPED/PRINTED NAME: <u>Karen Creag</u> TITLE: <u>Refr, Exmr.</u> SIGNATURE: <u>Karen Creag</u> PHONE: <u>272-3208</u> OFFICE: <u>XAC in Patents</u> ****		
APPROVED: <u>Alicia Hill</u>		DATE: <u>4/23/05</u>		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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DAC
PATENT
Attorney Docket 063373-5013-05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Brendon Conlan et al.**

Application No. 10/006,241

Filed: December 7, 2001

For: Removal of Biological Contaminants

Art Unit: Not Assigned

Examiner: Not Assigned

U.S. Patent and Trademark Office
Customer Window, Mail Stop Petition
Randolph Building
Alexandria, VA 22314

**RENEWED PETITION FOR REVIVAL OF A U.S. PATENT APPLICATION
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Pursuant to the provisions of 37 C.F.R. § 1.137(b), Applicants hereby provide a renewed petition for revival of an unintentionally abandoned U.S. Patent Application. A petition filed by Applicants' previous counsel was dismissed on July 13, 2004 as the signature page of inventor Tracey Ann Edgell was missing.

Applicants hereby petition for revival of this application and include the following items:

1. Petition Fee Under 37 C.F.R. 1.17(m): The Commissioner is hereby authorized to charge \$750.00 to Deposit Account 50-0310 of the petition fee.
2. Revocation of Original Power of Attorney and Grant of New Power of Attorney: Applicants enclose a copy of the Revocation of Original Power of Attorney and Grant of New Power of Attorney as filed with the U.S. Patent Office on February 14, 2005.
3. Extension of Time: Applicants petition for a five-month extension of time from September 13, 2004 to February 13, 2005 to respond to the Decision dated July 13, 2004. This response is being filed under the next business day rule on Monday, February 14, 2005 as the due date for responding fell on a Sunday (February 13, 2005). The Commissioner is hereby authorized to charge \$1,080.00 to Deposit Account 50-0310 for payment of the five-month extension of time fee. The Commissioner is hereby

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02 FC:2255 1080.00 DA

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authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

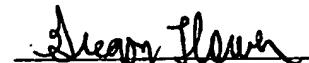
4. Proper Response: The proper response requirements in the form of executed Declarations from all of the inventors are enclosed herewith.

5. Terminal Disclaimer: Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

6. Statement: The entire delay in filing 35 U.S.C. 371(c) requirements from their due date until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

Dated: February 14, 2005
Morgan, Lewis & Bockius LLP
Customer No. 09629
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted
Morgan, Lewis & Bockius LLP



Gregory T. Lowen
Registration No. 46,882